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The Daily Press

Hongkong, May 16th, 1871.

The objection made by Judge BAIL to the alterations in the Summary Court Ordinances as it was originally proposed, ought scarcely to be passed without comment. Although the matter practically resolves itself into a personal question, it involves points of general interest, because likely to recur in any future reform of the same kind. The main objection taken by the Judge of the Summary Court to the Ordinances as originally framed, was that while it threw additional work upon him, it did not make any provision for an increase in his salary. Upon this, he wrote a letter of protest to the Colonial Secretary, and at the same time framed a draft which in his opinion was the most desirable for the Court. In consequence of this, the first draft made by the ATTORNEY-GENERAL was altered in such a way as to withdraw a portion, though not all, of the additional work which it was proposed should be laid upon the Court; and Judge BAIL, after stating from his place in the Legislative Council the nature of his objections, contented himself with requesting that the documents in connection with it should be sent to the Colonial Office, and did not raise any further opposition to the Ordinances as framed by the ATTORNEY-GENERAL.

Without advocating that officials performing important duties should be underpaid, it may be considered that the sum of \$1,500 per annum, which is the present salary of the Judge of the Summary Court, is a fair amount of remuneration for something more than cases of the kind which, at all events for the last two or three years, have formed the staple of the matters brought before that tribunal. The number of cases over a hundred dollars, which come forward, is extremely limited; the bulk of the work, as the reports published from time to time show, consisting of trifling suits for five, ten, or twenty dollars, and being hardly in any way more important than the average run of County Court cases at home. It can be hardly, therefore, be held that, with a pension to follow on retirement, the amount paid to the Judge of the Summary Court is not much that, if necessary, something more than the work which has hitherto been performed in that Court should be expected from him. The Judge of the Summary Court, however, seemed to be under an impression that on principle it was right that an increase of salary should be a matter of course following an increase of work. We cannot help thinking, that in contemplating this view, he was unconsciously giving utterance to a principle of action which has too frequently been followed in Hongkong, and which is now very generally recognized as an abuse in the administration of justice. The moment the duties of any individual become of the slightest importance, the idea is to increase the standing of his office and to raise his salary, although as has often been the case he has been overpaid and underworked before. Instances where this has been done are too familiar to the public to need stating. It is absurd that Government servants should be so much more sensitive on this point than other people. Men employed in general offices are usually content to adopt a liberal view in such matters, and so long as their work is not pressing and their remuneration fair for what work is done, to abstain from expecting their salaries to be greatly propped up with their duties; and it would be satisfactory to see a little more of this spirit manifested by those in Government employ. This was clearly pointed out by the ATTORNEY-GENERAL, who noticed the inconvenience which would arise at home if, whenever a law bill was passed in Parliament, the Judges commenced asking for increases in their salaries.

The manner and the time in which the application was made were also somewhat ill-chosen. If there were grounds for asking for an increase, this might have been done with more success after the Ordinances had passed, and the additional work which was anticipated had become an actual fact. To mix the question of the Judge's salary up with the passing of the Ordinances, as the Judge of the Summary Court did, is not only a little unbecomingly, but it also tends to the fact that the Judge of the Summary Court, as it is, in the Legislative Council, is a non-official member. As such, he might be reasonably expected to look to the opinions of his colleagues upon any question of finance, and being an official, to be rather the more than the less disposed to yield to it. As Judge, his view on the question of salary might not unreasonably differ from that which he would entertain on the subject strictly in his capacity of member of the Council; and it was important to bear the distinction in mind.

Had the matter been left to the ordinary course of business, that is to say, the Ordinances as at first drafted by the ATTORNEY-GENERAL, passed with such modifications as were desirable on its merits, the question of salary would, when it came forward at a future date, have been of a very simple nature. All that would be required would be to ascertain whether the amount paid was or was not a fair remuneration for the work done. There is very seldom any reason for illiberality shown in this respect in Hongkong, and there was no reason to suppose such would be the case in the present instance. As the matter actually stands, we presume this will be the mode that will be adopted for the settlement of the question. If the Home Government prefer that Judge BAIL's draft be adopted instead of the Ordinances just passed, and if this entails extra work upon the Court, it will then be a question whether the remuneration existing is sufficient. The principle that an increase of work must necessarily be accompanied by an increase of salary is inadmissible, because it ignores the fact that it is possible, a salary at a given moment may be higher than the duties of the particular official to whom it is paid really call for. While the public in Hongkong will not doubt be glad to see this question settled upon the most liberal

basis, it cannot be imagined they will be willing to see the Estimates swelled with an additional permanent charge, if it prove after all that even with the extra duties more is not demanded of the Judge of the Summary Court than is properly remunerated with the salary at present paid.

Complaints are frequently made with regard to the notice, or rather the absence of notice, from the Government in reference to claims for amounts for Police and Lighting Rates, which are discharged. These sums are now collected in advance upon empty as well as tenanted houses, and, consequently, if an overcharge is made, the money is irretrievably lost, should the Landlord or Agent omit to appeal within ten days after the expiration of each quarter. Although notice is given in the "Gazette" of the time the Taxes are due, nothing is said as to the period allowed for appeal; and it is very reasonably felt that this should be done, not only in the "Gazette," but also in the local papers, seeing that non-compliance with the rules may involve serious loss. It is true that people are supposed to know the Law; but clever and long remembered indeed must the man be who can remember all the Hongkong Ordinances; and as it is usual in all places to warn the public of their claims, such notice under the circumstances may be hoped that this reasonable plan will in future be adopted in Hongkong. The time allowed by the ordinance for appeal is very short, and the circumstances extremely likely to be overlooked, unless due attention be called to it.

By the steamer *Alma*, we were the arrival of Mr. Frederick J. Barnard, Barrister at Law, who, it is understood, intends again practicing in the Colony.

INQUESTS.

Mr. F. Stewart, coroner, held an inquest on Saturday with a jury consisting of Messrs. Granville Sharp, W. Salway, and M. A. Sieba. The deceased was a Chinese man, known, whose body was found off the Stanley Road, a few miles from Wong-ang-chung, hanging from a tree. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree.

Mr. Young stated: On the 11th instant, shortly after 5 p.m., the body of a deceased man was found hanging from a tree. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree.

A second inquest was opened on the body of a woman brought into the Hospital during the former week. The inquest was opened by the coroner with a jury consisting of Messrs. Granville Sharp, W. Salway, and M. A. Sieba. The deceased was a Chinese woman, known, whose body was found off the Stanley Road, a few miles from Wong-ang-chung, hanging from a tree.

The inquest was held on Tuesday, at 4 p.m. The jury found a verdict of *Felo de se*. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree. The body was found on the 11th instant (Thursday) by a Chinese man, who told him that on the Stanley Road, near a big rock, he had seen something which looked like a jacket, and that on going near it he found a body hanging from a tree.

SUPREME COURT.

May 15th.
HONGKONG: HON. CHIEF JUSTICE SIR JAMES ROBERTS, K.C.M.G.

This was Mr. Francis's motion to discharge the prisoner on the new writ of Habeas Corpus. The Attorney-General also had a motion to quash the writ.

His Lordship said at 11 a.m. The Attorney-General had presented his motion for leave to move for a writ of Habeas Corpus. The Chief Justice said he had appointed the day to hear Mr. Francis's motion, which would therefore be heard on the 15th inst.

The Attorney-General—Does your Lordship refuse to hear me? The Chief Justice—No, on the ground that you have given no notice.

The Attorney-General said he had given notice to the other side and that the Judge's decision was that he should have leave to move for a writ of Habeas Corpus. The Chief Justice said he had given notice to the other side and that the Judge's decision was that he should have leave to move for a writ of Habeas Corpus.

The Chief Justice—What is there erroneous in that? The Attorney-General—That the notice was filed after office hours.

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case if the case went to trial on question could then be possibly raised as to the legality of the order. If his Lordship now discharged the prisoner, it would be competent to the Attorney-General to apply for a writ of Habeas Corpus in the Court would not entertain an application for a second arrest while discharging the first.

Mr. Francis withdrew the application, and said that he would move for a writ of Habeas Corpus on the 16th inst. The Chief Justice said he would hear the motion on the 16th inst.

The Attorney-General—Does your Lordship refuse to hear me? The Chief Justice—No, on the ground that you have given no notice.

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Long-ayut and Chien-ah-show were required to find security, each in one hundred dollars for \$10, to appear within a month, for molesting and annoying a man named Yee, who was in building a small boat on Lap-ang-wan beach.

Mr. Reuben Solomon, of Elgin Terrace, accused Woe Anan, a house-boy, of stealing from his drawing-room, or rather of stealing the theft of a musical box, which was bought about four years ago, cost \$40. Defendant pleaded guilty, and was sentenced to three months in the House of Correction on the evening of the 14th inst.

Police and play-books instructed did not warrant to be on the look-out for the lost property.

Charles Ball, an apprentice on board, the *Andromeda*, having been found on the morning of the 14th inst. by P.O. No. 60, standing beneath the verandah of the *Andromeda*, was taken to the police station, and was found to be a Chinese man, who had been in the service of the *Andromeda* for some time.

Chooing Ang, arrested for having salted in the streets, accused Inding Police Constable No. 119 of having stolen a watch from him, and was taken to the police station, and was found to be a Chinese man, who had been in the service of the *Andromeda* for some time.

Chooing Ang, arrested for having salted in the streets, accused Inding Police Constable No. 119 of having stolen a watch from him, and was taken to the police station, and was found to be a Chinese man, who had been in the service of the *Andromeda* for some time.

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A GRIFFIN.

Before N. J. HARRISON, Esq., District Judge. Before N. J. HARRISON, Esq., District Judge. Before N. J. HARRISON, Esq., District Judge.

Plaintiff said that on the 27th March he bought a Japanese pony of the defendant, who told him it was fresh from the Japanese, and was worth \$100. The pony was found to be a Chinese man, who had been in the service of the *Andromeda* for some time.

Plaintiff said that on the 27th March he bought a Japanese pony of the defendant, who told him it was fresh from the Japanese, and was worth \$100. The pony was found to be a Chinese man, who had been in the service of the *Andromeda* for some time.

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